

Message Text

SECRET

PAGE 01 KHARTO 02423 091323Z

44

ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10

PA-04 RSC-01 PRS-01 SPC-03 SS-20 ACDA-19 IO-14 NEA-10

DRC-01 /150 W

----- 078823

O 091245Z NOV 73

FM AMEMBASSY KHARTOUM

TO SECSTATE WASHDC IMMEDIATE 7324

INFO AMEMBASSY BRUSSELS IMMEDIATE

AMEMBASSY ADDIS ABABA IMMEDIATE

S E C R E T KHARTOUM 2423

NOFORN

ADDIS FOR ASST SECY NEWSOM

E.O. 11652: GDS

TAGS: PINS, SU

SUBJ: BSO TERRORIST TRIAL

1. IN LIGHT INDICATION CONSIDERATION PERHAPS BEING GIVEN
FURTHER POSTPONEMENT MAGISTERIAL INQUIRY (KHARTOUM 2405),
I TOOK ADVANTAGE CALL ON ACTING FONMIN MUSA NOVEMBER 9
TO RAISE MATTER INFORMALLY. EMPHASIZING I SPEAKING ON PERSONAL
BASIS, I SAID CURRENT AREA DEVELOPMENTS, INCLUDING IMPENDING
RESTORATION USG/EGYPTIAN RELATIONS, SHOWED THAT MATTERS NOW
RPT NOW MOVING IN POSITIVE DIRECTION. IN THESE CIRCUMSTANCES
WOULD SEEM TO ME UNFORTUNATE WERE INQUIRY SET FOR NOV 13 TO BE
FURTHER POSTPONED. ANY SUCH ACTION WOULD BE DIFFICULT EXPLAIN
AT HOME, SINCE, ALL THINGS CONSIDERED, PRESENT JUNCTURE SEEMED
GOOD TIME GET ON WITH IT.

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2. MUSA IMMEDIATELY RESPONDED HE HAD NOT HEARD THAT

DECISION TO POSTPONE TAKEN. HE ADMITTED, HOWEVER, HE WORRIED LEST INQUIRY PROVIDE FORUM FOR FURTHER PALESTINIAN POLITICAL HARANGUES, NOTABLY ATTACKS AGAINST USG. MOREOVER, SOME OF DEFENSE LAWYERS STILL DETAINED. I REPLIED MY UNDERSTANDING WAS THAT SUMMARY NATURE INQUIRY MEANT THAT ANY SUCH PLOYS BY DEFENSE COULD PROMPT PROSECUTION OBJECTIONS WHICH COULD BE SUSTAINED BY MAGISTRATE. BOTH OF LATTER WERE GOS EMPLOYEES; SO THAT QUESTION POSSIBLE PALESTINIAN EXPLOITATION INQUIRY WOULD SEEM MANAGABLE. MUSA REITERATED THAT HE HAD HEARD NOTING ABOUT A POSTPONEMENT, ADDING, AS AFTER-THOUGH, THAT HE THOUGHT INQUIRY SHOULD GO AHEAD AS PLANNED.

3. COMMENT: HISTORY THIS CASE IS THAT, AS PARTICULAR STAGE IN PROCESS APPROACHES, WE HEAR MORE ABOUT POSSIBLE POSTPONEMENTS. SINCE JUDICIARY HERE AT BOTTOM SUBJECT TO CONTROL BY EXECUTIVE, AND SINCE MUSA HIMSELF HAD INDICATED TO UK AMB THAT "AMERICANS UNDERSTAND OUR DIFFICULTIES (REFTEL), I THOUGHT IT WELL TO LEAVE HIM IN NO DOUBT THAT WE EXPECT SUMMARY INQUIRY PROCEED HAS RWANNED, PARTICULARLY NOW THAT EMOTIONAL PINNACLE MIDEAST PROBLEM HAS SUBSIDED.

BREWER

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NNN

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